UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,722	08/20/2003	Kenneth Algiene	020375-038110US	8172

20350   7590   02/11/2008
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EXAMINER
PRESTON, JOHN O

ART UNIT	PAPER NUMBER
4143	

MAIL DATE	DELIVERY MODE
02/11/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 August 2003*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-21* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on *December 8, 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Status of Claims

1.   This action is in reply to the application filed on August 20, 2003.

2.   Claims 1-21 are currently pending and have been examined.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly

claiming the subject matter which the applicant regards as his invention.

4.   Claims 1, 5, 8, 18, and 19 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention.

5.   Claim 1 recites the limitation "the computer network" in *serve the first interface to the bid device*

across the computer network, wherein the first interface is operable to receive a first input. There

is insufficient antecedent basis for this limitation in the claim.   For the purposes of this

examination, the Examiner will assume that the Applicant meant *serve the first interface to the bid*

*device across **a computer network**, wherein the first interface is operable to receive a first input*.

6.   Claim 5 recites the limitation "the computer network" in *serve the third interface to the second bid*

device across the computer network, wherein the third interface is operable to receive a third

input. There is insufficient antecedent basis for this limitation in the claim. For the purposes of

this examination, the Examiner will assume that the Applicant meant *serve the third interface to*

*the second bid device across **a computer network**, wherein the third interface is operable to*

receive a third input.

7.   Claim 8 recites the limitation "the second redemption category" in *wherein the second redemption*

category is cash. There is insufficient antecedent basis for this limitation in the claim. For the

purposes of this examination, the Examiner will assume that the Applicant meant *wherein a second redemption category* is cash.

8. Claim 18 recites the limitation "the redemption amount" in *calculating the redemption amount based at least in part on the bid premium*. There is insufficient antecedent basis for this limitation in the claim. For the purposes of this examination, the Examiner will assume that the Applicant meant *calculating **a redemption amount** based at least in part on the bid premium*.

9. Claim 19 recites the limitation "the redemption amount" in *wherein calculating the redemption amount comprises: multiplying the balance by the percentage of the balance and the bid premium*. There is insufficient antecedent basis for this limitation in the claim. For the purposes of this examination, the Examiner will assume that the Applicant meant *wherein calculating **a redemption amount** comprises: multiplying the balance by the percentage of the balance and the bid premium*.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claims 1-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Chien et al (US 2001/0054003 A1).

Claim 1: Chien discloses the following limitations:

- *a microprocessor based device communicably coupled to a communication network* (Chien, page 4, paragraph 33);

- *a computer readable medium associated with the microprocessor based device* (Chien, page 4, paragraph 33), *wherein the computer readable medium includes instructions executable by the microprocessor based device to:*

- *receive a request for a first interface from a bid device* (Chien, page 2, paragraph 13);

- *serve the first interface to the bid device across the computer network, wherein the first interface is operable to receive a first input* (Chien, page 2, paragraph 13);

- *receive a request for a second interface from a redemption device* (Chien, page 6, paragraph 49: the system and method refers to a computer used as a redemption device);

- *serve the second interface to the redemption device across the computer network, wherein the second interface is operable to receive a second input* (Chien, page 7, paragraphs 50-51: participant connects to website through a computer network);

- *allocate at least a portion of an elective balance to a redemption category based at least in part on the second input* (Chien, page 7, paragraph 52); *and*

- *calculate a redemption amount by multiplying the portion of the elective balance by the first input* (Chien, page 7, paragraph 52).

Claim 2:   Chien discloses the following limitation(s):

- *wherein the first input is a bid premium* (Chien, page 2, paragraph 13).

Claim 3:   Chien discloses the following limitation(s):

- *receive a request for a third interface* (Chien, page 7, paragraph 52);

- *serve the third interface to the redemption device, wherein the third interface is operable to receive a third input* (Chien, page 7, paragraph 54); *and*

- *deduct an amount corresponding to the third input from the redemption amount* (Chien, page 7, paragraph 54)*, and*

- *reduce the elective balance by an amount corresponding to the third input divided by the first input* (Chien, page 7, paragraph 52).

Claim 4:   Chien discloses the following limitation(s):

- *wherein the redemption category is selected from a group consisting of: cash, a retail outlet, vacation time, additional sick days, and a service provider* (Chien, page 6, paragraph 50).

Claim 5:   Chien discloses the following limitation(s):

- *receive a request for a third interface from a second bid device* (Chien, page 2, paragraph 13);

- *serve the third interface to the second bid device across the computer network, wherein the third interface is operable to receive a third input* (Chien, page 2, paragraph 13);

- *allocate a second portion of the elective balance to a second redemption category based at least in part on the fourth input* (Chien, page 7, paragraph 52); *and*

- *calculate a second redemption amount by multiplying the second portion of the elective balance by the third input* (Chien, page 7, paragraph 52).

Claim 6:   Chien discloses the following limitation(s):

- *allocate a remaining portion of the elective balance to a second redemption category* (Chien, page 7, paragraph 52).

Claim 7:   Chien discloses the following limitation(s):

- *wherein the first redemption category is selected from a group consisting of: a retail outlet, vacation time, additional sick days, and a service provider* (Chien, page 6, paragraph 50).

Claim 8:   Chien discloses the following limitation(s):

- *wherein the second redemption category is cash* (Chien, page 2, paragraph 15).

Claim 9:   Chien discloses the following limitation(s):

- *providing a first interface to a bid device across a communication network* (Chien, page 2, paragraph 13);

- *receiving a bid premium via the first interface* (Chien, page 2, paragraph 13);

- *providing a second interface to a redemption device* (Chien, page 7, paragraphs 50-51: participant connects to website through a computer network);

- *receiving a percentage of an elective balance via the second interface, wherein the percentage of the elective balance is associated with a redemption category* (Chien, page 7, paragraph 52); and

- *calculating a redemption amount by multiplying the elective balance by the percentage of the elective balance and the bid premium* (Chien, page 7, paragraph 52).

Claim 10:   Chien discloses the following limitation(s):

- *providing a third interface to a second bid device across the communication network* (Chien, page 2, paragraph 13);

- *receiving a second bid premium from the second bid device, wherein the second bid premium is associated with a second redemption category* (Chien, page 2, paragraph 13); and

- *receiving a second percentage of the elective balance from the redemption device, wherein the second percentage of the elective balance is associated with the second redemption category* (Chien, page 7, paragraph 52).

Claim 11:   Chien discloses the following limitation(s):

- *calculating a second redemption amount by multiplying the elective balance by the second percentage of the elective balance and the second bid premium* (Chien, page 7, paragraph 52).

Claim 12:   Chien discloses the following limitation(s):

- *allocating a remaining portion of the elective balance to cash* (Chien, page 2, paragraph 15).

Claim 13:   Chien discloses the following limitation(s):

- *wherein the redemption category is selected from a group consisting of: cash, a retail outlet, vacation time, additional sick days, and a service provider* (Chien, page 6, paragraph 50).

Claim 14:   Chien discloses the following limitation(s):

- *providing an identification interface to a redemption device across a communication network* (Chien, pages 6-7, paragraph 50);

- *receiving an identification via the identification interface, wherein the identification indicates an elective account* (Chien, pages 6-7, paragraphs 50-51);

- *accessing a balance associated with the elective account* (Chien, page 7, paragraph 51);

- *providing an account interface including the balance to the redemption device via the communication network* (Chien, page 7, paragraph 51); and

- *receiving an allocation selection from the redemption device, wherein the allocation selection indicates an amount of the balance to be associated with a redemption category* (Chien, page 7, paragraph 52).

Claim 15:   Chien discloses the following limitation(s):

- *associating the amount of the balance with the redemption category* (Chien, page 7, paragraph 51); and

- *updating the account interface to indicate the amount of the balance associated with the redemption category* (Chien, page 7, paragraph 52).

Claim 16:   Chien discloses the following limitation(s):

- *wherein the redemption category is selected from a group consisting of: cash, a retail outlet, vacation time, additional sick days, and a service provider* (Chien, page 6, paragraph 50).

Claim 17:   Chien discloses the following limitation(s):

- *allocating a remaining portion of the balance to cash* (Chien, page 3, paragraph 15); *and*

- *wherein the redemption category is selected from a group consisting of: a retail outlet, vacation time, additional sick days, and a service provider* (Chien, page 6, paragraph 50).

Claim 18:   Chien discloses the following limitation(s):

- *providing a bid premium interface to a bid device via the communication network* (Chien, page 2, paragraph 13);

- *receiving a bid premium from the bid device, wherein the bid premium is associated with the redemption category* (Chien, page 2, paragraph 13); *and*

- *calculating the redemption amount based at least in part on the bid premium* (Chien, page 7, paragraph 52).

Claim 19:   Chien discloses the following limitation(s):

- *wherein the amount of the balance is a percentage of the balance* (Chien, page 7, paragraph 52), *and*

- *wherein calculating the redemption amount comprises: multiplying the balance by the percentage of the balance and the bid premium* (Chien, page 7, paragraph 52).

Claim 20:   Chien discloses the following limitation(s):

- *providing a second bid premium interface to a second bid device via the communication network* (Chien, page 2, paragraph 13);

- *receiving a second bid premium from the second bid device, wherein the second bid premium is associated with a second redemption category* (Chien, page 2, paragraph 13); *and*

- *receiving a second allocation selection from the redemption device, wherein the second allocation selection indicates a second amount of the balance to be associated with the second redemption category* (Chien, page 7, paragraph 52).

Claim 21:   Chien discloses the following limitation(s):

- *calculating a second redemption amount based at least in part on the balance, the second bid premium, and the second allocation selection* (Chien, page 7, paragraph 52).

Conclusion

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **John Preston** whose telephone number is **571.270.3918.** The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **JAMES REAGAN** can be reached at **571.272.6710**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://portal.uspto.gov/external/portal/pair <http://pair-direct.uspto.gov >. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

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>
> or faxed to **571-273-8300**.

Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window**:

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/John O Preston/
Examiner, Art Unit 4143
January 31, 2008
/James A. Reagan/Supervisory Patent Examiner, Art Unit 4143